

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.	:	09/992,266	Confirmation No. 7694
Applicant	:	Jayakumar Jayakumar	
Filed	:	11/05/2001	
TC/A.U.	:	2616	
Examiner	:	Warner Wong	
Docket No.	:	81862P260	
Customer No.	:	8791	

Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

Summary of Telephonic Interview

Applicant thanks the Examiner for the courtesy of a telephonic interview begun on April 30, 2007 and continued periodically through May 11, 2007. The following summary is to provide a complete and proper recordation of the substance of the interview:

- (A) proposed amendments to claims 1 and 6 were shown;
- (B) claims 1 and 6 were discussed;
- (C) no specific prior art was discussed;
- (D) the amendments as shown in the attached email were discussed;
- (E) the Examiner advised that claims 1 and 6 required amendment to provide a tangible result according to the Office's current guidelines on the subject;
- (F) no other pertinent matters were discussed;

(G) the Examiner and applicant agreed that the amendments as presented in applicant's email of May 4, 2007, addressed the rejections under 35 U.S.C. § 101, and that the Examiner would enter these amendments by means of an Examiner's amendment and pass the case to allowance; and

(H) a copy of the Internet e-mail contents is attached to be placed in the patent application file as required by the Federal Records Act in the same manner as an Examiner Interview Summary Form, PTOL 413, is entered.

Authorization for Extension of Time, All Replies

Authorization is given to treat any concurrent or future reply, requiring a petition for an extension of time under 37 CFR 1.136(a) for its timely submission, as incorporating a petition for extension of time for the appropriate length of time. If any other petition is necessary for consideration of this paper, it is hereby so petitioned. Please charge any shortage in fees in connection with the filing of this paper, including extension of time fees, to Deposit Account 02-2666 and please credit any excess fees to such deposit account.

Respectfully submitted,
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
By /James Henry/
James Henry
Reg. No. 41,064
Tel.: (714) 557-3800 (Pacific Coast)

Dated: 05/11/2007

By /James Henry/

James Henry

Reg. No. 41,064

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Attachment: email correspondence

Jim Henry

From: Jim Henry
Sent: Friday, May 04, 2007 5:03 PM
To: Wong, Warner
Subject: RE: Interview re 09/992,266

Examiner Wong:

I am in agreement with the substance of the amendment you propose for claim 1. Does the following amendment fully address the 101 issue as you proposed but perhaps in a more concise form by keeping the elements of the proposed wherein clause with the control word element?

1. (Currently Amended)

A method, comprising:

receiving an Asynchronous Transfer Mode (ATM) Adaptation Layer 5 (AAL5) Common Part Convergence Sublayer-Service Data Unit (CPCS-SDU) ~~AAL5 CPCS-SDU~~ at a router;
encapsulating the AAL5 CPCS-SDU into an AAL5 enhanced packet at the router;
generating ~~an~~ MPLS a MultiProtocol Label Switching (MPLS) packet from the AAL5 enhanced packet, wherein the AAL5 enhanced packet comprises an ATM header and a control word, ~~word~~, the control word comprising a transport type bit to properly identify whether the MPLS packet contains an ATM cell or an AAL5 CPCS-SDU; and
routing the MPLS packet over an MPLS network.

Does this proposed amendment to claim 6 address the 101 issue for this claim?

6. (Currently Amended)

A method comprising:

receiving an MPLS packet at a router;
decapsulating the MPLS packet when the MPLS packet is an AAL5 enhanced packet;
producing an AAL5 CPCS-SDU from the AAL5 enhanced packet, wherein the AAL5 enhanced packet comprises an ATM header and a control word, the control word comprising a transport type bit to indicate that ~~properly~~ identify whether the MPLS packet ~~comprises~~ contains an ATM cell or an AAL5 CPCS-SDU.

Thank you for your helpful comments with regard to addressing these 101 issues.

Jim Henry
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-----Original Message-----

| From: Wong, Warner [mailto:Warner.Wong@USPTO.GOV]

| Sent: Friday, May 04, 2007 8:34 AM

| To: Jim Henry

| Subject: RE: Interview re 09/992,266

| Jim:

| The proposed changes below have not fully address the 101
| issue for yielding a useful, concrete & tangible result.
| Each independent (computer-implementable) methods/mediums
| claim is required to described a useful, concrete & tangible
| result, for example, having an ending phrase as follows:

| claim 1:

| A method, comprising:
| receiving an AAL5 CPCS-SDU at a router;
| encapsulating the AAL5 CPCS-SDU into an AAL5 enhanced
| packet at the router;
| generating an MPLS packet from the AAL5 enhanced packet,
| wherein the AAL5 enhanced packet comprised an ATM header and
| a control word, the control word comprising a transport type
| bit to indicated that the MPLS packet comprises an AAL5 CPCS-SDU; and
| routing the MPLS packet over an MPLS network,
| wherein the control word properly identifies whether the
| MPLS packet contains an ATM cell or an AAL CPCS-SDU. [from
| spec., paragraph 28]

| Regards,
| Warner Wong

-----Original Message-----

| From: Jim Henry [mailto:jim_henry@bstz.com]

| Sent: Monday, April 30, 2007 6:26 PM

| To: Wong, Warner

| Subject: Interview re 09/992,266

| Examiner Wong:

| In connection with the telephonic interview of 04/30/2007,
| applicant presents the following information:

| Applicant proposes to address the rejection of claims 11 and
| 16 under 35 USC 101 as claiming a signal by amending the
| claims to claim "a computer readable storage medium having
| stored thereon a plurality of instructions" because a signal
| cannot store instructions.

| Applicant proposes to address the rejection of claims 1 and 6
| under 35 USC 101 as lacking a tangible result by amending the
| claims to claim "a computer implemented method in which a
| computer performs the method

| comprising: ..." to make clear that a computer performs the
| claimed method and thereby produces a tangible result.

| Applicant proposes to address the rejection of claim 1 under
| 35 USC 103 as being unpatentable over Mauger (6,882,643) in
| view of Lundback
| (6,912,590) by amending claim 1 to add "the control word
| comprising a transport type bit to indicate that the MPLS
| packet comprises an AALS CPCS-SDU" following "a control
| word." This amendment conforms claim 1 to the elements of
| similar claims that the Examiner has found to be allowable,
| such as claim 21.

| Applicant respectfully asks for the Examiner's comments on
| these proposed amendments as addressing all outstanding
| rejections in the application.

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